



Maricopa County Justice Courts, Arizona

CASE NUMBER: _____

Plaintiff(s) Name / Address / Email / Phone

Defendant(s) Name / Address / Email / Phone

Attorney for Plaintiff(s) Name / Address / Email / Phone

Attorney for Defendant(s) Name / Address / Email / Phone

APPLICATION FOR WRIT OF RESTITUTION

Administrative Order 2021-129

☐ ORAL ARGUMENT REQUESTED

Plaintiff obtained an eviction judgment against the Defendant(s) on _____. In accordance with Administrative Order 2021-129, Plaintiff applies for a Writ of Restitution to be executed no earlier than five days following an order granting the Writ in this matter.

Plaintiff makes the following Attestations:

☐ Plaintiff attests that a new tenancy has not been established.

Plaintiff ☐ has ☐ has not received Rental Assistance. (If yes, Plaintiff must file a Motion to Amend the Judgment.)

Plaintiff ☐ has ☐ has not filed a Motion to Amend the Judgment. (If yes, a hearing must be scheduled.)

Tenant ☐ is ☐ is not protected by the FHFA Multifamily Protection (Fannie Mae or Freddy Mac mortgage).
(If yes, tenant cannot be evicted earlier than 30 days following the date the tenant is provided the Notice to Vacate.)

☐ Plaintiff shall cause the Motion and Notice of Hearing to be served on the Defendant(s) either personally or by posting the Notice on the main entrance to the premises.

Complete the remainder only if a Motion to Amend the Complaint or to Amend the Judgment has NOT been filed:

(CARES Act)

The claim in this matter ☐ does ☐ does not obtained prior Judgment(s) against the Defendant(s) during an eviction moratorium that has not been vacated.

If yes, the property ☐ was ☐ was not covered by the CARES Act.

☐ If the property was a CARES Act property, Plaintiff has not included a claim for fees, penalties, or interest on unpaid rent during that period.

☐ If there is a claim for that period and the property was not a CARES Act property, Plaintiff has attached proof the property is not subject to a mortgage, or the written response from a Qualified Written Request (QWR) submitted to the property's mortgage holder that confirms the financing in place was not covered by the CARES Act.

(Federal Mortgage Forbearance)

The rental property ☐ is ☐ is not in a building with five or more units that has or had a mortgage backed by Fannie Mae or Freddie Mac (FHFA), the Federal Housing Administration (FHA), the U.S. Department of Agriculture (USDA), or the Department of Veterans Affairs (VA) for which the borrower is receiving mortgage forbearance relief.

☐ If Plaintiff participated in mortgage forbearance, Plaintiff has not included a claim for any fees, penalties or interest for unpaid rent for any period of time Plaintiff was in a federal mortgage forbearance relief program which prohibited those assessments.

(Federal Mortgage Multifamily Protection)

The rental property ☐ is ☐ is not in a building with five or more units that has or had a mortgage backed by Fannie Mae or Freddie Mac (FHFA)

- ☐ If Plaintiff participated in mortgage forbearance, Plaintiff has not included a claim for any fees, penalties or interest for unpaid rent for any period of time Plaintiff was in a federal mortgage forbearance relief program which prohibited those assessments.

Note: Please answer both questions regarding federal mortgages. There are separate programs for tenant protection that depend on different factors.

(Prior Judgments)

Plaintiff ☐ has ☐ has not obtained a prior judgment against the Defendant after March 24, 2020, that has not been vacated.

- ☐ Plaintiff obtained prior judgment against Defendant after March 24, 2020, which have not been vacated, on:

- ☐ If Plaintiff has obtained a prior judgment, Plaintiff attests that the amounts claimed in the judgment in this matter exclude the amounts awarded in any prior judgment.

Plaintiff states under penalty of perjury that the foregoing is true and correct.

Date: _____

Plaintiff: _____

I CERTIFY that I mailed / delivered a copy of this document to:

☐ Plaintiff at the above address ☐ Plaintiff's attorney ☐ Defendant at the above address ☐ Defendant's attorney

Date: _____

By Plaintiff: _____